

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for approval of a new bulk raw water classification of service and approval of revised service availability policy and charges in Baker and Union Counties by B & C Water Resources, L.L.C.

DOCKET NO. 080197-WU  
ORDER NO. PSC-08-0376-PCO-WU  
ISSUED: June 4, 2008

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman  
LISA POLAK EDGAR  
KATRINA J. McMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

ORDER SUSPENDING PROPOSED TARIFF SHEETS

BY THE COMMISSION:

Background

B & C Water Resources L.L.C. (B&C or Utility) is a Class C utility which provides water service for approximately eight residential customers in Baker and Union Counties. B&C's 2007 annual report shows an annual operating revenue of \$1,623 and a net operating loss of \$14,930. The service area is located in both the St. Johns River Water Management District and the Suwannee River Water Management District. None of the service area is in a water use caution area.

On April 2, 2008, the Utility filed an application for approval of a new bulk raw water classification of service and a revised service availability policy and charges to reflect the new service classification. B&C anticipates industrial development within its service area. Consequently, the Utility is requesting approval of a new classification of service to enable it to provide industrial customers with bulk raw water service. B&C also requested revised service availability policy and charges for the requested bulk raw water new class of service. This Order address the suspension of the requested final bulk raw water rate and the revised service availability policy for the requested bulk raw water new class of service

We have jurisdiction pursuant to Sections 367.091 and 367.101, Florida Statutes (F.S.).

Decision Suspending Tariff

Section 367.091(6), F.S., states that we may withhold consent to the operation of any or all portions of new rate schedules or service availability charges, by a vote to that effect within

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60 days, giving a reason or statement of good cause for withholding its consent. If we do not withhold consent, the proposed rates may be assumed effective after 60 days.

We have reviewed the filing and considered the utility's proposed charges, and the information filed in the support of the application. However, we believe it is reasonable and necessary to require further amplification and explanation to this data and to require production of corroborative information, if necessary. Our review of the application will include further examination by engineers and rate analysts. Therefore, the proposed tariff sheets for a new bulk raw water classification of service and revised service availability policy and charges for the requested bulk raw water class of service shall be suspended pending further discovery.

This docket shall remain open pending our final action on the Utility's requested new bulk raw water classification of service and revised service availability policy and charges for the requested bulk raw water class of service.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the proposed tariff sheets for a new bulk raw water classification of service and revised service availability policy and charges for the requested bulk raw water class of service by B & C Water Resources L.L.C. shall be suspended pending further discovery. It is further

ORDERED that this docket shall remain open pending our final action in this matter.

By ORDER of the Florida Public Service Commission this 4th day of June, 2008.



ANN COLE  
Commission Clerk

(SEAL)

KY

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.